

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

06 JUN -6 PM 4:59

CLERK'S OFFICE

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Chama Mainstream, Section 1
RANCHITOS DITCH
Subfile No. 4.3

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

AUBREY OWEN
YUVONNIA OWEN

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Chama Mainstream, Section 1, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

Subfile No. 4.3

8295

4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Chama Mainstream, Section 1, is set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s) NONE

Priority: 1735

Source of Water: La Cienega de Don Simon, a tributary of the Rio Chama

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: RANCHITOS DITCH

Location: X= 473,869 feet Y= 1,890,256 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1927

Location and Amount of Irrigated Acreage:

Within the Town of Abiquiu Grant	0.69 acres
Total	0.69 acres

As shown on the attached Hydrographic Survey Map for Subfile No. 4.3

Amount of Water: Not to exceed three (3) acre-feet per acre per annum delivered at the farm headgate.

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Chama Mainstream, Section 1, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Chama Mainstream, Section 1, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

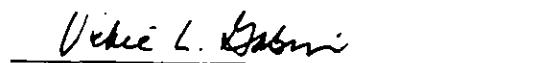
IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Chama Mainstream, Section 1, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Chama Mainstream, Section 1, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



UNITED STATES DISTRICT JUDGE

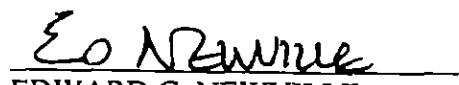
Recommended for approval:



SPECIAL MASTER

SIGNATURE 
YUVONNIA OWEN
ADDRESS: P.O.Box 75
Abiquiu NM
87510
DATE: 4-29-2006

SIGNATURE 
AUDREY OWEN
ADDRESS: P.O. Box 75
Abiquiu, NM 87510
DATE: 4/29/06


EDWARD G. NEWVILLE
Special Assistant Attorney General

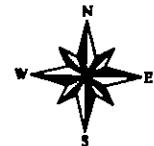
5/8/06
Date



LEGEND

- [White Box] Irrigated Tract Boundary
- [Dark Box] No Right Tract Boundary
- [Hatched Box] Seeped Area
- [Arrowhead] Operable Ditch
- [Dashed Arrowhead] Inoperable Ditch
- [Line with dots] Stock Ponds / Reservoir

- [Circle] Point of Diversion
- [Solid Circle] Well
- [Star] Spring
- [F] Fallow
- [NR] No Right



1 inch = 300 feet

0 150 300 Feet

STATE OF NEW MEXICO
Office of the State Engineer
John R. D'Antonio, Jr., P.E.,
State Engineer

Rio Chama Hydrographic Survey
Section 1, Chama Mainstream

Portion of
Map Sheet 4
Tr.3
Ranchitos Ditch
AMENDED
January 10, 2006

